(3)

CAUSE P-1

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 1868 /2002.

PETITIONER : M/s Isan Construction,
Proprietor Deepak Sharma,
S/o Shri R.S.Sharma,
aged about 35 years,
resident of Manendragarh,
Distt. Korea (C.G.).

P.R. No. 18 x 3
Presented by Shri A.K. Choudhary
dated 3-9-02

Versus

RESPONDENTS : (1) Secretary, P.W.D., Raipur.
Ministry of P.W.D., D.K.S.Bhawan,
(2) ~~Chief Secretary~~, P.W.D., Raipur
Engineer in chief
(3) Executive Engineer, P.W.D.
Manendragarh, Distt. Korea (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA :

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 1868/02

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13/04/2004 Shri N.K. Chhatterjee, counsel for the petitioner. Shri Bhaskar Pyasi, Panel Lawyer for respondents/State. The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India, being aggrieved by the action of the respondent No.1, circular dated 1.5.2002 issued to the Executive Engineer regarding registration of contractors and another letter dated 11.3.2002 in that connection and the relief sought by the petitioner is that the respondents be directed to allow him to work according to his registration dated 22/04/1999 (Annexure A/1). The case of the petitioner is that he was registered as Class-A-4 contractor in the Public Works Department of erstwhile State of M.P. vide office letter No.402/SA/1795/Panji/99/700 dated 22/04/1999 according to which the Chief Engineer, P.W.D. Bhopal, registered the petitioner as contractor. This registration was valid up to 5 years. After reorganisation, the State of Chhattisgarh was carved out of the State of Madhya Pradesh. The petitioner is residing in the State of Chhattisgarh and mainly his	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(65)

आदेश पत्रक

1868/02

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

work is located at Manendragarh in Raipur Zone and he is still carrying out the work allotted to him. On 14.5.2002 when he went to the office of the Executive Engineer, P.W.D. Manendragarh and asked for tender form (Annexure A/2), and that application was received in the office on the same day; thereafter the office of the Executive Engineer, P.W.D. Manendragarh handed over two memos to the petitioner from which it has come to the knowledge of the petitioner that a circular has been issued which disentitles the contractor who was registered in the State of M.P. and the contractor is required to renew his registration, if he wants to work in the territory of the State of Chhattisgarh. This circular was not in the knowledge of the petitioner and the same is unconstitutional, oppressive, arbitrary and prejudicial to the interest of the petitioner.

Learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.2 and he be directed to decide the representation considering all the points raised by the petitioner and if any circular, rules or regulations are framed by the State of

(66)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

1868/02

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर संहित —3—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Chhattisgarh then the Respondent No.2 may be directed that those circulars, rules or regulations be made known to the petitioner so that he can act according to these circulars to which learned counsel for the State has no objection.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievances within a period of 15 days from today to respondent No.2 and in turn, respondent No.2 shall decide the representation within a further period of thirty days from the date of receipt of the same in an objective manner with a reasoned order and the petitioner should be made known to all the circulars, orders or regulations regarding registration of the contractors and renewal thereof issued after the formation of the State of Chhattisgarh.

With the above observations and directions the petition stands disposed of.

In view of this order, M.(W.)P.No.1089/2002 stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge